

Fishery Conservation and Management

§ 665.601

§ 665.466 Closures.

(a) If the Regional Administrator determines that the harvest quota for any coral bed will be reached prior to the end of the fishing year, NMFS shall publish a notice to that effect in the FEDERAL REGISTER and shall use other means to notify permit holders. Any such notice must indicate the reason for the closure, the bed being closed, and the effective date of the closure.

(b) A closure is also effective for a permit holder upon the permit holder's actual harvest of the applicable quota.

§ 665.467 Quotas.

(a) *General.* The quotas limiting the amount of precious coral that may be taken in any precious coral permit area during the fishing year are listed in § 665.467(d). Only live coral is counted toward the quota. The accounting period for all quotas begins July 1, 1983.

(b) *Conditional bed closure.* A conditional bed will be closed to all non-selective coral harvesting after the quota for one species of coral has been taken.

(c) *Reserves and reserve release.* The quotas for exploratory areas X-P-G and X-P-CNMI will be held in reserve for harvest by vessels of the United States in the following manner:

(1) At the start of the fishing year, the reserve for the Guam and CNMI exploratory areas will equal the quota minus the estimated domestic annual harvest for that year.

(2) As soon as practicable after December 31 each year, the Regional Administrator will determine the amount harvested by vessels of the United States between July 1 and December 31 of the year that just ended on December 31.

(3) NMFS will release to TALFF an amount of precious coral for each exploratory area equal to the quota minus two times the amount harvested by vessels of the United States in that July 1-December 31 period.

(4) NMFS will publish in the FEDERAL REGISTER a notification of the Regional Administrator's determination and a summary of the information on which it is based as soon as practicable after the determination is made.

(d) The Guam and CNMI exploratory permit areas, X-P-GU and X-P-CNMI,

each have annual quotas of 1,000 kg for all precious coral MUS combined with the exception of black corals.

§ 665.468 Seasons.

The fishing year for precious coral begins on July 1 and ends on June 30 the following year.

§ 665.469 Gold coral harvest moratorium.

Fishing for, taking, or retaining any gold coral in any precious coral permit area is prohibited through June 30, 2018.

[78 FR 32182, May 29, 2013]

Subpart E—Pacific Remote Island Area Fisheries

§ 665.598 Management area.

The PRIA fishery management area is the EEZ seaward of Palmyra Atoll, Kingman Reef, Jarvis Island, Baker Island, Howland Island, Johnston Atoll, and Wake Island, Pacific Remote Island Areas with the inner boundary a line coterminous with the seaward boundaries of the above atolls, reefs and islands PRIA and the outer boundary a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured, or is coterminous with adjacent international maritime boundaries.

§ 665.599 Area restrictions.

Except as provided in § 665.934, fishing is prohibited in all no-take MPAs. The following U.S. EEZ waters are no-take MPAs: Landward of the 50 fathom curve at Jarvis, Howland, and Baker Islands, and Kingman Reef; as depicted on National Ocean Survey Chart Numbers 83116 and 83153.

[78 FR 33003, June 3, 2013]

§ 665.600 PRIA bottomfish fisheries. [Reserved]

§ 665.601 Definitions.

As used in §§ 665.600 through 665.619:

PRIA bottomfish fishing permit means the permit required by § 665.603 to use a vessel to fish for PRIA bottomfish MUS in the EEZ around the PRIA, or to land bottomfish MUS shoreward of the

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outer boundary of the EEZ around the PRIA, with the exception of EEZ waters around Midway Atoll.

PRIA bottomfish management unit species (PRIA bottomfish MUS) means the following fish:

English common name	Scientific name
Silver jaw jobfish	<i>Aphareus rutilans.</i>
Giant trevally	<i>Caranx ignobilis.</i>
Black jack	<i>Caranx lugubris.</i>
Blacktip grouper	<i>Epinephelus fasciatus.</i>
Sea bass	<i>Epinephelus quernus.</i>
Red snapper	<i>Etelis carbunculus.</i>
Longtail snapper	<i>Etelis coruscans.</i>
Redgill emperor	<i>Lethrinus rubrioperculatus.</i>
Yellowtail snapper	<i>Pristipomoides auricilla.</i>
Pink snapper	<i>Pristipomoides filamentosus.</i>
Pink snapper	<i>Pristipomoides seiboldii.</i>
Lunartail, lyretail grouper	<i>Variola louti.</i>

§ 665.602 [Reserved]

§ 665.603 Permits.

(a) *Applicability.* PRIA. The owner of any vessel used to fish for, land, or transship PRIA bottomfish MUS shoreward of the outer boundary of the PRIA subarea must have a permit issued under this section, and the permit must be registered for use with that vessel.

(b) *Submission.* An application for a permit required under this section must be submitted to PIRO as described in § 665.13.

§ 665.604 Prohibitions.

In addition to the general prohibitions specified in § 600.725 of this chapter and § 665.16, it is unlawful for any person to do any of the following:

(a) Fish for PRIA bottomfish MUS using gear prohibited under § 665.605.

(b) Fish for, or retain on board a vessel, PRIA bottomfish MUS in the PRIA without the appropriate permit registered for use with that vessel issued under § 665.13.

(c) Falsify or fail to make or file all reports of PRIA bottomfish MUS land-

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ings taken in the PRIA, containing all data in the exact manner, as specified in § 665.14(b).

§ 665.605 Gear restrictions.

(a) *Bottom trawls and bottom set gillnets.* Fishing for PRIA bottomfish MUS with bottom trawls and bottom set gillnets is prohibited.

(b) *Possession of gear.* Possession of a bottom trawl and bottom set gillnet by any vessel having a permit under § 665.603 or otherwise established to be fishing for PRIA bottomfish MUS in the PRIA fishery management area is prohibited.

(c) *Poisons and explosives.* The possession or use of any poisons, explosives, or intoxicating substances for the purpose of harvesting PRIA bottomfish is prohibited.

§ 665.606 At-sea observer coverage.

All fishing vessels subject to §§ 665.600 through 665.606 must carry an observer when directed to do so by the Regional Administrator.

§§ 665.607–665.619 [Reserved]

§ 665.620 PRIA coral reef ecosystem fisheries. [Reserved]

§ 665.621 Definitions.

As used in §§ 665.620 through 665.639:

PRIA coral reef ecosystem management unit species (PRIA coral reef ecosystem MUS) means all of the Currently Harvested Coral Reef Taxa and Potentially Harvested Coral Reef Taxa listed in this section and which spend the majority of their non-pelagic (post-settlement) life stages within waters less than or equal to 50 fathoms in total depth.

PRIA Currently Harvested Coral Reef Taxa:

Family name	English common name	Scientific name
Acanthuridae (Surgeonfishes)	orange-spot	<i>Acanthurus olivaceus.</i>
	surgeonfish.	
	yellowfin surgeonfish	<i>Acanthurus xanthopterus.</i>
	convict tang	<i>Acanthurus triostegus.</i>
	eye-striped surgeonfish	<i>Acanthurus dussumieri.</i>
	blue-lined surgeon	<i>Acanthurus nigroris.</i>
	Whitebar surgeonfish	<i>Acanthurus leucopareius.</i>
	blue-banded surgeonfish	<i>Acanthurus lineatus.</i>
	blackstreak surgeonfish	<i>Acanthurus nigricauda.</i>
	whitecheek surgeonfish	<i>Acanthurus nigricans.</i>
	white-spotted surgeonfish	<i>Acanthurus guttatus.</i>